

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

IN RE CELGENE CORPORATION, INC.  
SECURITIES LITIGATION

Civil Action No. 18-cv-4772 (MEF) (JBC)

**STIPULATION AND ORDER  
REGARDING DISMISSAL OF APRIL  
2017 CORPORATE STATEMENTS**

Lead Plaintiff and Class Representative AMF Pensionsförsäkring AB (“Plaintiff”) and Defendants Celgene Corporation, Scott Smith, Terrie Curran, and Philippe Martin (“Defendants”) hereby stipulate as follows:

WHEREAS, on October 27, 2023 Defendants moved for partial summary judgment with respect to Defendant Celgene Corporation’s alleged corporate statements related to Ozanimod, D.E. 278;

WHEREAS, Plaintiff opposes Defendants’ motion with respect to Celgene’s corporate statements in July, September and October 2017, and in January and February 2018, but does not oppose summary judgment with respect to Celgene’s alleged corporate statements in April 2017, D.E. 279, which are identified in paragraphs 389-390 and 393-394 of the Third Amended Consolidated Class Action Complaint (D.E. 175) (“TAC”);

WHEREAS, the Court directed Plaintiff to file a stipulation regarding the dismissal of Celgene’s alleged corporate statements in April 2017, D.E. 293;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the parties, that, subject to the Court’s approval:

1. The alleged false or misleading corporate statements identified in paragraphs 389-390 and 393-394 of the TAC are dismissed with prejudice from this action.

Dated: May 30, 2023

Respectfully submitted,

/s/ James E. Cecchi

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Kevin Cooper

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*Additional Counsel for the Class*

IT IS SO ORDERED

May 30, 2024

Signed:

  
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HON. MICHAEL E. FARBIARZ  
UNITED STATES DISTRICT JUDGE